

REMARKS

This Request for Continued Examination has been filed in order to amend Claim 55 as indicated above and introduce new Claims 78 and 79 for the reasons set forth below. In addition, Applicants submit an Information Disclosure Statement with additional references.

Claim 55 has been amended to recite that the superabsorbent particles are bound to the binder-containing cellulose fibers in particulate form. Support for this amendment is present at page 106, line 16, of the specification.

This application was the subject of a Restriction Requirement set forth in the Examiner's Action mailed January 16, 2001. In response to the Restriction Requirement, applicants elected the species hydroxyl and elected the subspecies diol. Prosecution proceeded based on these species. In view of the allowance of Claim 55, which is generic, as set forth in the Restriction Requirement in paragraph 1, applicants are entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim, as provided by 37 C.F.R. § 1.141.

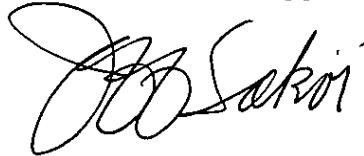
The above amendment introducing new Claims 78 and 79, directed to hydroxy acids and the specific hydroxy acid lactic acid, is needed in order to provide express coverage for these desirable binders. No additional search or examination is required because these new claims depend from independent Claim 55, which has been found to be patentable. New Claims 78 and 79 were not earlier presented because prosecution was proceeding with respect to the elected species hydroxyl and diol. Hydroxy acid and lactic acid fall within the generic scope of independent Claim 55. Support for new Claims 78 and 79 can be found on page 49 of the specification. Applicants file does not include initialed copies of the IDS's filed on November 4, 2000, and December 5, 2000. The Examiner is requested to attach copies of the above-initialed IDS's with the next Patent Office communication.

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In view of the foregoing, applicants respectfully request entry of the amendment introducing new Claims 78 and 79 into the subject application. If the Examiner has any questions regarding the above, he is invited to call applicants' attorney at the number listed below so that any outstanding issues can be resolved in a timely and efficient manner.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 10/24/03 Shannon Hile

JMS/snh

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